

## REMARKS

Referring to the various telephone discussions with Examiner Popovics beginning on June 19, 2003, claim 7 has been amended as set forth in the telefax sent to Examiner Popovics on July 7, 2003. Examiner Popovics has subsequently indicated that this claim would be allowable. (It is noted that the telefax mistakenly refers to amended claim 1 rather than claim 7; claim 1 has been canceled.)

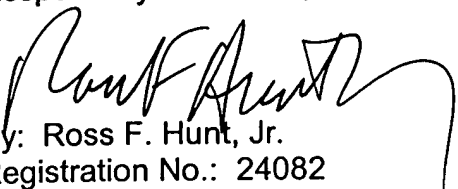
In an attempt to clarify the record, it is noted that applicant filed an Amendment on March 18, 2003, in response to the Office Action dated December 18, 2002. Prior to filing this Amendment, counsel for applicant telephoned the Patent & Trademark Office to note that the Office Action Summary forwarded with the Office Action was not filled out. Subsequently, on April 2, 2003, Examiner Popovics sent out a further copy of the Office Action dated December 18, 2002, with the Office Action Summary fully filled out. The Office Action of April 2, 2003, apparently crossed in the mail with the Amendment filed on March 18, 2003, and being simply a repeat of the Office Action of December 18, 2002, did not address the Amendment of March 18, 2003. Counsel for applicant telephoned Examiner Popovics about the situation, and, to his credit, Examiner Popovics began a dialog as to how the claims might be placed in condition for allowance. As indicated above, this dialog began on June 19, 2003, and on July 7, 2003, an amended version of claim 7 was submitted to Examiner Popovics. On July 29, 2003, Examiner Popovics called to leave a voice message that the proposed claim would be allowable and requested that the claim be submitted as part of a formal response. This is that formal response. The initiative and cooperative spirit shown by Examiner Popovics in this matter is much appreciated.

Since claim 7 has been indicated to be allowable and claim 17 (which is previously allowed claim 10 rewritten in independent form) has also been indicated to allowable, and these are the only two independent claims in the application, this application should now be in condition for allowance. If problems remain, the Examiner

is respectfully urged to telephone the undersigned so that these problems can be resolved.

Respectfully submitted,

Date: July 31, 2003

  
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## ATTACHMENT A Amendments to the Claims

*This listing of claims will replace all prior versions, and listings, of claims in the application.*

Claims 1-6 (Canceled)

7. (Currently Amended) A filter assembly for obtaining a sample of filtrate from a contaminated fluid, the assembly comprising

a filter element comprising an elongate porous tube having an exterior surface wherein a portion of the exterior surface is arranged to be ~~exposed to~~immersed in a fluid to be filtered and wherein the tube is substantially rigid so that, in use, the interior bore is maintained as a passage for the filtered fluid; and

a pump, having an inlet and coupled to the interior bore of the filter element and an outlet, for drawing filtrate through the filter element from the exterior surface of the filter element to the interior bore and through the interior bore to the inlet of the pump;

means for incrementally ~~exposing~~extending a further portion of the exterior surface of the filter element to immerse the further portion in the contaminated fluid as the filter element becomes clogged;

~~the tube including an interior bore arranged for coupling to an inlet of a pump for drawing filtrate through the filter element from the exterior surface of the filter element to the interior bore of the tube of the filter element.~~

8. (Canceled)

9. (Previously Presented) Apparatus according to Claim 7 wherein a single drive means is arranged to operate the pump to draw fluid through the filter element and to advance the filter element to expose further portions of the surface.

10. (Previously Presented) Apparatus according to Claim 7 wherein the assembly includes coupling means arranged to couple a rotary drive to the pump to draw fluid

through the filter element when rotation is applied in a first direction and to advance the filter element when rotation is applied in the opposite direction.

11. (Previously Presented) Apparatus according to Claim 7 wherein the pump is arranged to pump fluid back through the filter element from the interior surface of the filter element to the exterior surface of the filter element to effect back-flushing of the filter element.

12. (Original) Apparatus according to Claim 7 wherein the filter assembly is removably coupled to a drive means so that the filter assembly may be renewed without having to renew the drive means.

13. (Original) Apparatus according to Claim 7 wherein the filter element comprises a substantially cylindrical tube.

14. (Previously Presented) Apparatus according to Claim 7 wherein the further portion of the exterior surface of the filter element is incrementally exposed by means of a relatively rotatable threaded shaft or screw and nut member, one of the screw or shaft being arranged to be rotated by drive means.

15 - 16. (Canceled).

17. (Previously Presented) A filter assembly for obtaining a sample of filtrate from a contaminated fluid, the assembly comprising:

a filter element comprising an elongate porous tube having an exterior surface wherein a portion of the exterior surface is arranged to be exposed to a fluid to be filter;  
and

means for incrementally exposing a further portion of the exterior surface of the filter element to the contaminated fluid as the filter element becomes clogged;

the interior bore of the tube being arranged to couple to an inlet of a pump for drawing filtrate through the filter element from the exterior surface of the filter element to the interior bore of the filter element;

a single drive means being arranged to operate the pump to draw fluid through the filter element and to advance the filter element to expose further portions of the surface; and

the filter assembly further including coupling means arranged to couple a rotary drive to the pump to draw fluid through the filter element when rotation is applied in a first direction and to advance the filter element when rotation is applied in the opposite direction.